

PERSONNELUse of Alcohol and Drugs**A. Definitions**

As used in this regulation:

1. "Controlled substance" means a controlled substance as defined in schedules I through V of the Federal Controlled Substance Act and schedules I through VI of the Virginia Drug Control Act.
2. "Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
3. "Criminal drug statute" means a federal or state statute involving the manufacture, distribution, dispensing, possession or use of any controlled substance.
4. "Drug-free workplace" means a site for the performance of work by a School Board employee at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance.

B. Drug-Free Awareness Program

The School Board is aware of its obligation to employees with respect to the use and abuse of drugs. The Board holds the belief that a climate should be established within the division that is conducive to the non-use of illegal drugs. This climate is to be achieved through the establishment of the following:

1. That opportunities be provided for employees to participate in the Employee Assistance Program.
2. That a continuing program of required in-service instruction be implemented on the nature of drugs and their proper use and on the deleterious effects of drug use on the mental, physical, social, economic, and legal status of the individual employee.

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3. That opportunities be provided for the community to understand the school division's approach to a drug-free workplace.

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4. That this regulation and related rules instituted to ensure against the use, sale, or distribution of controlled substances on school property (including vehicles) be made available to each employee and posted in workplaces when appropriate.

C. Notification of Convictions

Employees convicted (including a plea of "nolo contendere") for violating any state or federal criminal drug law by an action **committed in the workplace** must notify the superintendent within five (5) days of their conviction. Failure to comply with this directive will be grounds for termination of employment.

D. Smoking and the Use of Tobacco Products on School Board Property

Tobacco products are not to be used in School Board owned buildings and vehicles at any time. Tobacco products are not to be used on School Board owned property during work hours with the exception of employees who were recognized as smokers as of September 25, 1990.

The principal or worksite supervisor is to designate a smoking area for identified smokers in an outdoor location that is not prominent to public view and is not located in regularly used public access areas, including loading docks.

Smokers are responsible for the cleanliness of designated outdoor smoking areas. The availability of a smoking area is contingent upon its proper use and cleanliness.

Legal Reference: Through June 30, 1997

Drug-Free Workplace Act. (1988)

Drug-Free Workplace Requirements; Notice and Interim Final Rules (Effective March 18, 1989)

Code of Va., Drug Control Act. Chapter 34 of Title 54.1.

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Code of Va., §4.1-309. Drinking or possessing
alcoholic beverages in or on public school grounds. (1993)

Code of Va., §18.255.2. Prohibiting the sale of drugs
on or near certain properties. (1993)

Code of Va., §18.2-265.1. Definition (Drug
paraphernalia). (1983)

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